

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

RICK RICHARDS and
ERNEST RICHARDS, II,

Plaintiffs/Counter Defendants,

v.

Civil Action No. 1:18-CV-158
c/w 1:18-CV-157
(Judge KleeH)

OCTANE ENVIRONMENTAL, LLC, an
Ohio limited liability company,
TERENCE SEIKEL, CRAIG STACY, and
JOSEPH SEIKEL,

Defendants/Counter Claimants/
Third-Party Plaintiff/Counter Defendant,

v.

JACOB RICHARDS and JASON RICHARDS,

Third-Party Defendants/Counter Claimants
against Octane Environmental, LLC.

ORDER GRANTING MOTION TO CONTINUE
PRE-TRIAL CONFERENCE AND RICK RICHARDS' JURY TRIAL [ECF NO. 424]

Pending before the Court is Plaintiffs Ernest Richards and Rick Richards's *Motion to Continue Pre-Trial Conference and Rick Richards Trial*. [1:18cv158 at ECF No. 424]. In the motion, Plaintiffs request a continuance of both the pre-trial conference (August 30, 2021) and Rick Richards's jury trial (August 31, 2021) because an attorney tested positive for COVID-19 and is required to quarantine for fourteen (14) days, which extends through August 30, 2021. Id. Defendants filed a response in agreement with

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Plaintiffs, noting that Defendants' counsel are available September 6-10, 2021. [ECF No. 425].

For the reasons stated in the motion, and upon no objection from Defendants, the Court **GRANTS** the *Motion to Continue Pre-Trial Conference and Rick Richards Trial* [ECF No. 424]. The pre-trial conference scheduled for 1:00 p.m. on August 30, 2021 for **Civil Action No. 1:18-CV-158** is hereby **CONTINUED** until further order of the Court. Jury selection in Civil Action No. 1:18-CV-158 currently scheduled for 9:30 a.m. on August 31, 2021, at the Clarksburg, West Virginia, point of holding court, is hereby **CONTINUED** until further order of the Court.

The pre-trial conference scheduled for 2:00 p.m. on August 30, 2021 for **Civil Action No. 1:18-CV-157**, is hereby **RESCHEDULED** for **2:00 p.m. on September 8, 2021**, at the Clarksburg, West Virginia, point of holding court. Jury selection in Civil Action No. 1:18-CV-157 shall be held as currently scheduled at **9:30 a.m. on September 14, 2021**, at the Clarksburg, West Virginia, point of holding court. It is anticipated that the trial will take **4 days**. Trial will commence upon the completion of jury selection and trial in any prior case scheduled for this date.

It is so **ORDERED**.

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The Clerk is directed to transmit copies of this Order to counsel of record.

DATED: August 19, 2021

/s/ Thomas S. Kleeh
THOMAS S. KLEEH
UNITED STATES DISTRICT JUDGE